THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.20953 of 2007

Between:

Bathula Nageswar Rao. … Petitioner

and

The Joint Collector, Prakasham District, Ongole. … Respondent

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.20953 of 2007

ORDER:

Petitioner seeks to issue a Writ of Mandamus declaring the action of the respondent in not passing any order on his representation, dated 09-07-2007, as illegal and arbitrary.

It is stated that the petitioner filed a representation, dated 09-07-2007, before the respondent stating that there is a Tank known as Vura Cheruvu or Kasba Cheruvu or Battinapati Vari Cheruvu in the Punur Village of Yeddanapudi Mandal, Prakasham District. It is stated that the private property of Battinapati people belongs to the forefathers of the petitioner and other family members. Apart from that, the said property is a private property for the benefit of Ura Cheruvu and since long time, the property being damaged without there being any proper management and maintenance. Therefore, he requested the respondent to form a Scheme by constituting a committee including the petitioner and his family members as members to the said committee in order to avoid further damage to the said Tank and also for proper maintenance.

A perusal of the representation, dated 09-07-2007, goes to show that the private property belongs to Battinapati people whereas the petitioner belongs to Battula family. Therefore, it is not known as to what is the right or interest of the petitioner over the said property, when the said property does

not belong to his family. As the representation filed by the petitioner is vague and bereft of any material particulars, the question of directing the respondent to consider and dispose of the said representation does not arise. Therefore, the writ petition is misconceived and not maintainable and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. There shall be no order as to cots.

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05-10-2007

Prv